



House of Representatives

File No. 904

General Assembly

January Session, 2007

(Reprint of File No. 334)

House Bill No. 7167
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 31, 2007

**AN ACT CONCERNING PROFESSIONAL LICENSES OF MEMBERS
OF THE UNITED STATES ARMED FORCES AND THE CONNECTICUT
NATIONAL GUARD.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 19a-88b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) (1) Notwithstanding section 19a-14 or any other provision of the
4 general statutes relating to continuing education or refresher training,
5 the Department of Public Health shall renew a license, certificate,
6 permit or registration issued to an individual pursuant to chapters
7 368d, 368v, 371 to 378, inclusive, 379a to 388, inclusive, 393a, 395, 398,
8 399, 400a and 400c that becomes void pursuant to section 19a-88 or
9 19a-195b while the holder of the license, certificate, permit or
10 registration is on active duty in the armed forces of the United States,
11 or such holder is a member of the National Guard ordered out by the
12 Governor for military service, not later than [six months] one year
13 from the date of discharge from active duty or ordered military
14 service, upon completion of any continuing education or refresher

15 training required to renew a license, certificate, registration or permit
16 that has not become void pursuant to section 19a-88 or 19a-195b. A
17 licensee applying for license renewal pursuant to this [section]
18 subdivision shall submit an application on a form prescribed by the
19 department and other such documentation as may be required by the
20 department.

21 (2) Notwithstanding section 19a-14 or any other provisions of the
22 general statutes relating to continuing education, the Department of
23 Public Health shall renew a license issued to an individual pursuant to
24 chapter 370 that becomes void pursuant to section 19a-88 while the
25 holder of the license is on active duty in the armed forces of the United
26 States, not later than one year from the date of discharge from active
27 duty, upon completion of twenty-five contact hours of continuing
28 education that meet the criteria set forth in subsection (b) of section 20-
29 10b. A licensee applying for license renewal pursuant to this
30 subdivision shall submit an application on a form prescribed by the
31 department and other such documentation as may be required by the
32 department.

33 (3) Notwithstanding section 19a-14 or any other provision of the
34 general statutes relating to continuing education, the Department of
35 Public Health shall renew a license issued to an individual pursuant to
36 chapter 379 that becomes void pursuant to section 19a-88 while the
37 holder of the license is on active duty in the armed forces of the United
38 States, not later than one year from the date of discharge from active
39 duty, upon completion of twelve contact hours of continuing
40 education that meet the criteria set forth in subsection (b) of section 20-
41 126c. A licensee applying for license renewal pursuant to this
42 subdivision shall submit an application on a form prescribed by the
43 department and other such documentation as may be required by the
44 department.

45 (4) Notwithstanding section 19a-14 or any other provision of the
46 general statutes relating to continuing education, the Department of
47 Public Health shall renew a license issued to an individual pursuant to

48 chapter 381a that becomes void pursuant to section 19a-88 while the
49 holder of the license is on active duty in the armed forces of the United
50 States, not later than one year from the date of discharge from active
51 duty, upon completion of six contact hours of continuing education
52 that meet the criteria set forth in section 20-162r. A licensee applying
53 for license renewal pursuant to this subdivision shall submit an
54 application on a form prescribed by the department and other such
55 documentation as may be required by the department.

56 (b) The provisions of this section [do] shall not apply to reservists or
57 National Guard members on active duty for annual training that is a
58 regularly scheduled obligation for reservists or members of the
59 National Guard for training that is not a part of mobilization.

60 (c) No license shall be issued under this section to any applicant (1)
61 against whom professional disciplinary action is pending, or (2) who is
62 the subject of an unresolved complaint.

63 Sec. 2. (NEW) (*Effective July 1, 2007*) (a) Notwithstanding any
64 provision of the general statutes, each executive branch agency,
65 department, board, commission or official, other than the Department
66 of Public Health or the State Board of Education, responsible for the
67 issuance of a license, certificate, permit or registration required by the
68 general statutes for the practice of a profession shall renew the license,
69 certificate, permit or registration issued to an individual which expires
70 while the individual is (1) on active duty in the armed forces of the
71 United States, or (2) a member of the National Guard when ordered
72 out by the Governor for military service. Such renewal shall be valid
73 for a period of one year from the date of such individual's discharge
74 from active duty or ordered military service, or until the date the
75 individual successfully renews the license in accordance with this
76 section and the general statutes, whichever occurs first. Such
77 individual applying for renewal of a license, certificate, permit or
78 registration shall submit to the agency, department, board,
79 commission or official such documentation as may be required by such
80 agency, department, board, commission or official.

81 (b) The provisions of this section shall not apply to reservists or
82 National Guard members on active duty for annual training that is a
83 regularly scheduled obligation for reservists or members of the
84 National Guard for training which is not a part of mobilization.

85 Sec. 3. Section 10-146b of the general statutes is repealed and the
86 following is substituted in lieu thereof (*Effective July 1, 2007*):

87 (a) Any person who holds a provisional educator or provisional
88 teaching certificate or held such certificate within one year of
89 application for extension of such certificate and is unable to complete
90 the requirements for a professional educator certificate within the
91 period required, or any person who holds a professional educator
92 certificate or held such certificate within one year of application for
93 extension of such certificate and is unable to complete the
94 requirements for continuation of such professional educator certificate
95 within the period required may appeal to said board for an extension
96 of the applicable period for good cause and said board, if it finds a
97 hardship exists in the case of such person or if it finds an emergency
98 situation because of a shortage of certified teachers in the school
99 district where such person is employed, may extend, effective as of or
100 retroactive to the expiration date of such certificate, such applicable
101 period within which such person shall complete such requirements for
102 such time as to said board seems reasonable, provided not more than
103 one extension shall be granted to such person and, provided further,
104 the record of such person is satisfactory under the provisions of
105 sections 10-145a to 10-145d, inclusive, and this section. For the
106 purposes of section 10-151, any lapse period pursuant to this section
107 shall not constitute a break in employment for such person if
108 reemployed and shall be used for the purpose of calculating
109 continuous employment.

110 (b) Notwithstanding any provision of the general statutes, the State
111 Board of Education shall renew a certificate, authorization or permit
112 issued by the board to an individual which expires while the
113 individual is on active duty in the armed forces of the United States, or

114 a member of the National Guard when ordered out by the Governor
115 for military service, if the individual submits an application for
116 renewal of such certificate, authorization or permit not later than one
117 year after discharge from such active duty or ordered military service.
118 Such renewal shall be valid for not less than the amount of time the
119 individual was on active duty or ordered out for military service not to
120 exceed the amount of time the original certificate, authorization or
121 permit was valid. Such individual applying for renewal of a certificate,
122 authorization or permit pursuant to this subsection shall submit to the
123 State Board of Education such documentation as the board may
124 require. The provisions of this subsection shall not apply to reservists
125 or National Guard members on active duty for annual training that is a
126 regularly scheduled obligation for reservists or members of the
127 National Guard for training which is not a part of mobilization.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2007</i>	19a-88b
Sec. 2	<i>July 1, 2007</i>	New section
Sec. 3	<i>July 1, 2007</i>	10-146b

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Various State Agencies	GF - Revenue Gain	Potential Minimal	Potential Minimal
Education, Dept.	GF - Cost	Potential Minimal	None

Note: GF=General Fund

Municipal Impact: None

Explanation

Various state agencies¹ will experience a potential minimal revenue gain to the extent that persons who might otherwise not renew a license, certificate, permit or registration do so given passage of this bill. The revenue gain would be associated with the payment of renewal fees by members of the armed forces who are on active duty, or National Guard members ordered out by the Governor for military service, who may otherwise allow their license, certificate, permit or registration to expire.

The State Department of Education will potentially incur one-time minimal costs to rework its teacher certification system to accommodate the renewal provisions contained within the bill as amended.

It is anticipated that the other various agencies will be able to implement this policy change within their normally budgeted resources.

House "A" modifies the renewal process for educational

¹ Departments of Consumer Protection, Environmental Protection, Education, Public Health; Board of Accountancy.

professionals and does not alter the underlying fiscal impact.

The Out Years

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$	FY 12 \$
Various State Agencies	GF - Revenue Gain	Potential Minimal	Potential Minimal	Potential Minimal
Education, Dept.	GF - Cost	None	None	None

Note: GF=General Fund

Municipal Impact: None

OLR Bill Analysis**HB 7167 (as amended by House "A")******AN ACT CONCERNING PROFESSIONAL LICENSES OF MEMBERS OF THE UNITED STATES ARMED FORCES AND THE CONNECTICUT NATIONAL GUARD.*****SUMMARY:**

This bill extends the grace period during which U.S. Armed Forces members discharged from active duty may renew certain Department of Public Health (DPH) credentials that lapsed while they served on active duty, from six months to one year after discharge. It establishes this same benefit for guard members whose credentials lapsed while they were performing military service ordered by the governor. Under existing law, U.S. Armed Forces members discharged from active duty already get this benefit for four types of DPH licenses: dentistry, medicine, surgery, or respiratory care. The bill does not extend the benefit for these licensees to guard members serving under the governor's call.

The bill establishes the same one-year grace period during which a non-DPH executive branch agency, department, board (except the State Board of Education (SBE)), commission, or official must renew the professional credentials of U.S. Armed Forces and guard members that lapsed while the members were on active duty or military service ordered by the governor. The renewal is valid for one year after discharge from such duty or service or until the applicant successfully renews the license. The bill also requires the SBE to renew expired SBE certificates, authorizations, and permits of members if they apply within one year after discharge from active duty or ordered military service. The renewal is valid for at least the amount of time the

applicant was on active duty or ordered military service but no longer than the original credential was valid. Applicants must submit to the applicable entity or official any documentation required for renewing the credential.

As under existing law, the bill does not apply to reservists or guard members on active duty for annual training that is a regularly scheduled obligation and not part of mobilization.

*House Amendment "A" adds the SBE provision.

EFFECTIVE DATE: July 1, 2007

CREDENTIALS

The credentials the bill covers are licenses, certificates, permits, and registrations.

The DPH credentials affected are as follows:

1. emergency medical service;
2. chiropractor;
3. naturepathy;
4. medical examining board;
5. podiatrist;
6. athletic trainer;
7. physical therapist;
8. occupational therapist;
9. substance abuse counselor;
10. radiographer and radiologic technologist;
11. midwifery;

12. nursing;
13. dental hygienist;
14. optometrist;
15. optician;
16. respiratory care practitioner;
17. perfusionist;
18. pharmacist;
19. psychologist;
20. marital and family therapist;
21. clinical social worker;
22. professional counselor;
23. veterinarian;
24. massage therapist;
25. dietitian-nutritionist;
26. acupuncturist;
27. paramedic;
28. embalmer and funeral director;
29. barber;
30. hairdresser and cosmetician;
31. electrologist;
32. subsurface sewage disposal system installer;

- 33. sanitarian;
- 34. hearing instrument specialist;
- 35. speech and language pathologist and audiologist;
- 36. asbestos contractor, consultant, and worker; and
- 37. lead abatement consultant, contractor, and worker.

Both the law and the bill cover health care institutions, but the legal effect of this coverage is unclear because individuals, not institutions, serve in the armed forces. The bill does not cover the license for nurses aides (CGS § 20-102aa et. seq.).

By law, applicants must complete any required continuing education or refresher training and submit the application and any other required documentation to DPH.

BACKGROUND

Current License Restoration Standards

DPH may restore, for free, a hairdressing or cosmetology license that expired while the holder was in the armed services (CGS § 20-256).

Professional engineers and land surveyors are not required to pay renewal fees to maintain their licenses while in the armed forces (CGS § 20-306(a)(3)).

DPH may reinstate, without an examination, the license of a veteran whose embalmer and funeral director's license expired while he was in the service, provided DPH approves the applicant's professional qualifications. He must apply within a year of separation (CGS § 20-228).

COMMITTEE ACTION

Select Committee on Veterans' Affairs

Joint Favorable Change of Reference

Yea 9 Nay 0 (03/01/2007)

General Law Committee

Joint Favorable

Yea 19 Nay 0 (03/14/2007)

Public Health Committee

Joint Favorable

Yea 28 Nay 0 (04/20/2007)